

Honorable Christopher M. Alston
Hearing date: February 28, 2020; 9:30 a.m.
Hearing Place: Room 7206, 700 Stewart Street, Seattle, WA 98101
Responses due by: February 21, 2020; by 4:30 p.m.

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:) Chapter 7
JASON L. WOEHLE,) Bankruptcy No. 18-12299
Debtor(s).) TRUSTEE'S MOTION FOR AN ORDER
AUTHORIZING SALE OF EQUITY IN
THE DEBTOR'S RESIDENCE BACK TO
THE DEBTOR

COMES NOW the duly appointed trustee, Nancy James, through counsel, The Livesey Law Firm, and Rory C. Livesey, and moves this court for entry of an order authorizing the trustee to sell the equity in the debtor's residence back to the debtor.

Among the assets listed on the debtor's schedules is his residence located at 1920 A East Spruce Street, Seattle, Washington 98122. The property is subject to the debtor's \$125,000 state homestead exemption. Additionally, the property is subject to a deed of trust in favor of Mr. Cooper for approximately \$300,000. There is a small deed of trust in favor of Owen J. Wales for approximately \$4,000. A title report shows a judgment in favor of Russell Brandt in the amount of \$300,000. However, that judgment was not recorded as required to be an effective lien against homesteaded property.

The trustee has been marketing the residence. The original list price was \$595,000. The trustee received an offer of \$574,000. A sale at that price, assuming 10 percent costs of sale and the estimated payoffs to the secured claims, would net the estate approximately \$100,000. The debtor has offered to purchase any interest the bankruptcy estate has in the residence for \$112,425. The

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1 trustee has determined that a sale to the debtor is in the best interest of the estate as it would net
2 more for the creditors than the pending offer. *See* Declaration of Nancy James.

3 The debtor has represented to the trustee that the funds used to purchase the equity came
4 from a friend and are not property of the estate. *See* Declaration of Jason Woehler. The funds are
5 in the trust account of the debtor's attorney. Upon court approval and payment of the funds, the
6 trustee will abandon the estate's interest in the property by filing a Notice of Abandonment with the
7 court.

8 WHEREFORE, the trustee prays for an order accordingly.

9 RESPECTFULLY SUBMITTED this 30th day of January, 2020.

10 THE LIVESEY LAW FIRM

11 /S/ Rory C. Livesey

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13 Rory C. Livesey, WSBA #17601
14 Attorney for Nancy James, Trustee
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